

COMPLAINT INVESTIGATION SUMMARY

COMPLAINT NUMBER:	2057.04
COMPLAINT INVESTIGATOR:	Jennifer Campbell
DATE OF COMPLAINT:	September 19, 2003
DATE OF REPORT:	October 17, 2003
REQUEST FOR RECONSIDERATION:	no
DATE OF CLOSURE:	April 21, 2004

COMPLAINT ISSUES:

Whether the Anderson Community School Corporation violated:

511 IAC 7-27-7(a) by failing to implement the student's individualized education program (IEP) as written.

FINDINGS OF FACT:

1. The Student is thirteen years old, attends the 7th grade at the School, and is eligible for special education and related services as a student with an emotional disability.
2. The Complainant alleges that the School did not implement the following IEP accommodations: reduce homework assignments; extra time to submit homework as well as extra time on tests; use of the special education classroom to take tests; and submission of weekly progress reports to the Parent. Furthermore, the Complainant contends that the School did not follow through with the use of an assignment book by the Student to record homework due dates to be initialed by his teachers.
3. The IEP lists the following modifications: extend time requirements for assignments; modify assignments requiring time limitations; shorten assignments; extend time on tests; weekly reports on progress for the Parent; and the Student will write his homework assignments in the "Pride and Achievement" notebook. In addition, the IEP states that the teachers can make testing accommodations in their classrooms.
4. The TOR acknowledges that the School has inconsistently implemented the accommodations in the Student's IEP, particularly in one class. Although no specifics were provided, the School changed the Student's schedule to attend new classes with teachers "more willing" to implement the IEP accommodations. Also, the School submitted a copy of the middle grading period report with no date; a blank copy of the weekly progress report; and, a copy of the third week grade report from the Teacher of Record, dated September 15, 2003. Copies of the assignment notebook show that from August 21 through September 20, 2003, the notebook was filled out on September 2, 3, 4, 5, 6, 8, 9, 11, and initialed once by a teacher on September 5, 2003.

CONCLUSIONS:

1. Findings of Facts #2, #3, and #4 indicate that the School failed to consistently implement the Student's IEP, at least in one class. Also, the assignment notebook was not consistently updated or initialed. Further, the School failed to provide copies of each weekly progress report. Therefore, a violation of 511 IAC 7-27-7(a) is found.

The Department of Education, Division of Exceptional Learners requires corrective action based on the Findings of Fact and Conclusions listed above.

CORRECTIVE ACTION:

The Anderson Community School Corporation shall:

1. Reconvene the CCC to review, revise, and specify accommodations/modifications of the IEP. A copy of the CCC Report/IEP shall be submitted to the Division no later than November 17, 2003.
2. If the weekly progress reports and the assignment notebook remain in the revised IEP, the School must submit to the Division by December 15, 2003, one month's worth of copies of both the weekly progress reports and the assignment notebook.